

AMENDED IN SENATE JUNE 12, 2006

AMENDED IN ASSEMBLY JANUARY 26, 2006

AMENDED IN ASSEMBLY MAY 11, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 966

Introduced by Assembly Member Saldana

February 18, 2005

~~An act to add Article 14 (commencing with Section 25251) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste. An act to add Section 13274.3 to the Water Code, relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 966, as amended, Saldana. ~~Hazardous waste: dental amalgam waste: best practices. Water quality: California-Baja California border region.~~

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of waste in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (act).

This bill would require the state board, the San Diego Regional Water Quality Control Board, and the Colorado River Basin Regional Water Quality Control Board, to the extent permitted by law, to take all necessary action under the act to establish effective water quality

and public health management programs for the California-Baja California border region, as defined; to work, to the extent permitted by law, with appropriate organizations on both sides of the California-Baja California border to establish cooperative water quality monitoring, inspection, and technical assistance programs to protect the environment and public health of the border region; to expedite the development of water quality objectives and certain “total maximum daily loads” for surface waters along the border and to seek related funding; and, to the extent permitted by law, to work with the International Boundary and Water Commission, United States Section (IBWC), to develop feasible mechanisms to permit discharges from Mexico into California surface waters, in accordance with California water quality and public health objectives, as specified.

The bill would require the state board and the San Diego Regional Water Quality Control Board to facilitate compliance by the IBWC with the act and the federal Clean Water Act in connection with specified plant operations and discharges; to assist, to the extent permitted by law, the IBWC in its efforts to oversee the design, construction, operation, and maintenance of federally funded wastewater projects in Tijuana, Mexico; and to expedite the issuance of any necessary waste discharge requirements in accordance with the NPDES permit program.

~~(1) Existing law requires the Department of Toxic Substances Control to issue hazardous waste facilities permits for the treatment of hazardous waste. A violation of the hazardous waste control laws is a crime.~~

~~This bill would require the owner or operator of a dental practice, on and after July 1, 2007, to implement specified best management practices to minimize the discharge of mercury into wastewater. The bill would require the owner or operator to maintain specified records onsite, and to make the records available for inspection by the enforcement agency. The bill would define the enforcement agency as the local or regional agency with regulatory authority over wastewater discharges into the sanitary or combined sewer system for a jurisdiction.~~

~~Because a violation of the requirements imposed by the bill would be a crime under other, existing provisions of the hazardous waste control laws, this bill would impose a state-mandated local program by creating new crimes.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that with regard to certain mandates no reimbursement is required by this act for specified reasons.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13274.3 is added to the Water Code, to
2 read:
3 13274.3. (a) As used in this section, the following terms have
4 the following meanings:
5 (1) "Boards" means the state board, the San Diego Regional
6 Water Quality Control Board, and the Colorado River Basin
7 Regional Water Quality Control Board.
8 (2) "Border" means the California-Baja California border.
9 (3) "Border region" means the area that extends 100
10 kilometers to the north of the border and 100 kilometers to the
11 south of the border.
12 (4) "IBWC" means the International Boundary and Water
13 Commission, United States Section.
14 (b) The boards, to the extent permitted by law, shall take all
15 necessary action under this division to establish effective water
16 quality and public health management programs for the border
17 region.
18 (c) The boards, to the extent permitted by law, shall work with
19 appropriate binational, federal, state, local, and
20 nongovernmental organizations on both sides of the border to
21 establish cooperative water quality monitoring, inspection, and
22 technical assistance programs as needed to protect the
23 environment and public health of the border region.
24 (d) The boards shall expedite the development of water quality
25 objectives, and total maximum daily loads pursuant to Section
26 303 (d) of the Clean Water Act (33 U.S.C. Sec. 1313(d)), for
27 surface waters along the border, and shall seek appropriate
28 funding from federal and binational organizations for necessary

1 environmental and public health monitoring of border surface
2 waters.

3 (e) The boards, to the extent permitted by law, shall work with
4 the IBWC to develop feasible mechanisms to permit discharges
5 from Mexico into California surface waters, in accordance with
6 California water quality and public health objectives, if these
7 discharges are requested by Mexico.

8 (f) The state board and the San Diego Regional Water Quality
9 Control Board shall facilitate compliance by the IBWC with this
10 division and the Clean Water Act in connection with its operation
11 of the International Wastewater Treatment Plant in San Diego
12 County and the discharge of waste through the "South Bay
13 Ocean Outfall."

14 (g) The state board and the San Diego Regional Water Quality
15 Control Board, to the extent permitted by law, shall assist the
16 IBWC in its efforts to oversee the design, construction, operation,
17 and maintenance of federally funded wastewater projects in
18 Tijuana, Mexico, and to expedite the issuance of any necessary
19 waste discharge requirements in accordance with the national
20 pollutant discharge elimination system (NPDES) permit
21 program.

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24 **All matter omitted in this version of the bill**
25 **appears in the bill as amended in**
26 **Assembly, January 26, 2006 (JR11)**
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